

Sixth Appellate District

San Jose, California

MONDAY, NOVEMBER 30, 1998

H017233 PEOPLE v. KERRY LEE FRUGOLI

The judgment is affirmed. (not published)
(Premo, J.; We concur: Cottle, P.J., Elia, J.)
Filed November 30, 1998

H017141 PEOPLE v. PAUL V., A MINOR

The judgment is affirmed. (not published)
(Premo, J.; We concur: Cottle, P.J., Elia, J.)
Filed November 30, 1998

H017239 PEOPLE v. ROBINSON

The judgment is affirmed. (not published)
(Premo, J.; We concur: Cottle, P.J., Elia, J.)
Filed November 30, 1998

H016587 JOVEL v. JOVEL & BAY VIEW FEDERAL

The judgment is reversed. Husband is awarded costs on
appeal as the prevailing party herein. (not published)
(Premo, Acting P.J.; We concur: Elia, J., Wunderlich, J.)
Filed November 30, 1998

H017703 KRAMPETZ v. KRAMPETZ

The order after hearing is reversed. The matter is
remanded. (not published)
(Premo, J.; We concur: Cottle, P.J., Elia, J.)
Filed November 30, 1998

H019120 PEOPLE v. HAYES

By the Court:

The written opinion which was filed on October 27, 1998, is
certified for publication in its entirety pursuant to California
Rules of Court, rule 976(b), and it is therefore ordered that it
be published in the Official Reports.
(Mihara, J. and Bamattre-Manoukian, Acting P.J.)
Filed November 30, 1998

H017406 PEOPLE v. RODRIGUEZ

The judgment is affirmed. (not published)
(Premo, Acting P.J.; We concur: Elia, J., Wunderlich, J.)
Filed November 30, 1998

Sixth Appellate District

San Jose, California

TUESDAY, DECEMBER 1, 1998

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Bamattre-Manoukian, Acting P.J.; Wunderlich, J., Mihara, J.; and W. Magsaysay, Deputy Clerk.

H017128 PEOPLE v. MEDEL

Cause called and argued by Anthony Bole appearing for appellant and by Catherine A. Rivlin, Deputy Attorney General, appearing for respondent. Cause ordered submitted.

H017151 SAN FRANCISCO PRINTING CO., et al. v. BRAZIL, et al;
SCOTTSDALE INSURANCE COMPANY

Cause called and argued by Francis J. Stillman, appearing for appellant Eghbali, David F. Beach, appearing for appellant Huffmaster Alternative Workforce, Joseph Mascovich appearing for respondent American National Fire Insurance Company, and Kelly Nugent appearing for respondent Insurance Company of the State of Pennsylvania. Cause ordered submitted. Court recesses until 1:30 p.m.

The Court reconvened at 1:30 p.m in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Bamattre-Manoukian, Acting P.J.; Wunderlich, J., Mihara, J.; and Judy Son, Deputy Clerk.

H017833 PEOPLE v. BOWKER

Cause called and argued by Steven Yep appearing for appellant and by Christina Kuo, Deputy Attorney General, appearing for respondent. Cause ordered submitted.

H017383 JUSTI v. JUSTI

Cause called and argued by Robin Yeaman appearing for appellant and by Susan Benett appearing for respondent. Robin Yeaman presents copies of a fee waiver document filed in Superior Court, and the court accepts the document as received only. Additionally, Ms. Yeaman requests the court file an amended request for judicial notice, and the court accepts the notice for filing forthwith. Cause ordered submitted. Court is adjourned.

H016978 SMYSER, et al. v. CARL E. BERG, et al.

The judgment is reversed. Plaintiffs shall recover their costs on appeal. (not published)
(Elia, J.; We concur: Premo, Acting P.J., Wunderlich, J.)
Filed December 1, 1998

Sixth Appellate District

San Jose, California

Tuesday, December 1, 1998 (continued)

H018097 PEOPLE v. ALEXANDER

The judgment is affirmed. (not published)
(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J.,
Wunderlich, J.)
Filed December 1, 1998

H016466 PEOPLE v. CANDELARIA

The terms for counts 10, 12 and 13 are ordered stayed. In
all other respects, the judgment is affirmed. (not published)
(Bamattre-Manoukian, Acting P.J.; We concur: Wunderlich, J.,
Mihara, J.)
Filed December 1, 1998

H016939 ELWARD, et al. v. MAZDA MOTOR OF AMERICA, INC.

The judgment is affirmed. (not published)
(Bamattre-Manoukian, Acting P.J.; We concur: Wunderlich, J.,
Mihara, J.)
Filed December 1, 1998

H017245 CHULAR AREA CONCERNED CITIZENS, et al. v. COUNTY OF
MONTEREY, et al.; PRISKI-JONES VENTURES/CHULARE I, et
al.

We affirm the trial court's order sustaining of the demurrer
only as to the fifth cause of action for declaratory relief.
Otherwise we reverse the judgment of dismissal and remand the
matter for further proceedings in the trial court. Appellants are
to have costs on appeal; however, their request for attorney fees
under Code of Civil Procedure section 1021.5 is denied. (not
published)
(Bamattre-Manoukian, J.; We concur: Cottle, P.J., Mihara, J.)
Filed December 1, 1998

WEDNESDAY, DECEMBER 2, 1998

H017007 MARRIAGE OF LORETTA HAMILTON AND CLIFFORD BRANNICK

The judgment is affirmed. (not published)
(Premo, J.; We concur: Cottle, P.J., Elia, J.)
Filed December 2, 1998

H017774 SUARET v. GILLHAM

The order denying the petition is affirmed; the order
dismissing the OSC is affirmed; the order denying the motion to
vacate is affirmed. (not published)
(Premo, J.; We concur: Cottle, P.J., Elia, J.)
Filed December 2, 1998

Sixth Appellate District

San Jose, California

Wednesday, December 2, 1998 (continued)

H017073 PEOPLE v. MOORE

H018429 IN RE MOORE On Habeas Corpus

By the Court*:

Appellant's petition for rehearing is denied.

Dated December 2, 1998

Cottle, P.J.

*Before Cottle, P.J., Bamattre-Manoukian, J., and Mihara, J.

THURSDAY, DECEMBER 3, 1998

H017498 COLLIER, et al. v. HOVDE

The judgment is affirmed. (not published)

(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J.,
Wunderlich, J.)

Filed December 3, 1998

H017497 COUNTY OF SAN BENITO v. VELEZ

The judgment is reversed. Costs to appellant. (not
published)

(Wunderlich, J.; We concur: Premo, Acting P.J., Elia, J.)

Filed December 3, 1998

H018030 IN RE SHELLY J., A MINOR

The order is affirmed. (published)

(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J.,
Wunderlich, J.)

Filed December 3, 1998

H018259 PEOPLE v. MOULTON

The judgment is affirmed. (not published)

(Bamattre-Manoukian, Acting P.J.; We concur: Wunderlich, J.,
Mihara, J.)

Filed December 3, 1998

H017266 PEOPLE v. CASTILLO

The judgment is affirmed. (not published)

(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J.,
Wunderlich, J.)

Filed December 3, 1998

FRIDAY, DECEMBER 4, 1998

H017846 PEOPLE v. KENNY

H018851 KENNY ON HABEAS CORPUS

The judgment is affirmed and the petition for writ of habeas
corpus is denied. (not published)

(Elia, J.; We concur: Premo, Acting P.J., Wunderlich, J.)

Filed December 4, 1998

Sixth Appellate District

San Jose, California

Friday, December 4, 1998 (continued)

H017846 NORMAN v. HOME DEPOT

The judgment is reversed. The parties shall bear their own costs on appeal. (not published)

(Elia, J.; We concur: Cottle, P.J., Premo, J.)

Filed December 4, 1998

H016633 PEOPLE v. ATONDO, et al.

The judgment is affirmed. (not published)

(Mihara, J.; We concur: Cottle, P.J., Bamattre-Manoukian, J.)

Filed December 4, 1998

H017474 POOLE v. ADMUNDSON, AS DIRECTOR, etc., et al.; SAN
ANDREAS REGIONAL CENTER

By the Court*:

Appellant's petition for rehearing is denied.

Dated December 4, 1998 Cottle, P.J.

*Before Cottle, P.J., Bamattre-Manoukian, J., and Mihara, J.